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ABSTRACT

Described are the problems in the New York City Schools' transportation system for handicapped pupils, and suggested are ways to improve services. The study included interviews with administrators, teachers, parents, students, bus drivers, and bus company representatives; observations at various school settings; and analyses of budgetary factors. Considered in separate sections of the report are such aspects as sample complaints, system operation, cost factors, comfort and safety, and accountability. Among recommendations listed are increased travel training for students, instruction for bus drivers in working with handicapped children, and development of transportation standards. Included in three appendixes are sample forms used by the Bureau of Pupil Transportation. (CL)

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THE TRANSPORTATION TROUBLES OF HANDICAPPED SCHOOL CHILDREN

COMMITTEE ON EDUCATION
Department of Public Affairs
COMMUNITY SERVICE SOCIETY OF NEW YORK

EC 080 456

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A REPORT ON SCHOOL TRANSPORTATION

FOR HANDICAPPED CHILDREN

IN NEW YORK CITY

Prepared for the
Committee on Education
by
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Department of Public Affairs
Community Service Society of New York
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FOREWORD

Major Findings and Recommendations

In the past ten years, total school transportation costs for New York City children have risen at a higher rate than all other education costs. The figure has tripled - from $41 million in 1965 to over $130 million today.

The cost of transportation of handicapped children has escalated at an even greater rate. There were 22,000 handicapped pupils riding on school buses at the start of the 1974-75 school year; the number increased to 25,000 by June 1975. The per pupil cost of busing these students is estimated at over $2,000 per year. For some, it costs as much as $100 a day. The New York City Board of Education spends more to bus some handicapped children than it does to educate them. Such an expensive system should be efficient, comfortable and safe. The contrary was found when the Committee on Education of the Community Service Society conducted a study of school transportation for the handicapped. These are some of its findings:

SAFETY

*The contract buses are not adequately equipped for safety or comfort, resulting in physical injury to some children, painful discomfort for others, and damage to wheelchairs. The Bureau of Pupil Transportation acknowledges that 7 to 10 such incidents per day are reported.

*First-aid kits and fire extinguishers, required by state and federal regulations, are not included in the equipment of many buses. Students reported

they have never participated in emergency drills, although these are mandated by state law.

*Observers frequently reported hazardous methods of loading and unloading physically handicapped children on the school bus.

*A 1971 City ordinance requires matrons on every vehicle for the protection and assistance of handicapped children. It was observed that matrons are lax in securing seat belts, permit children to walk unescorted in the middle of the street, seldom get out of the bus to assist children, leave them unattended to stop for coffee and ignore other safety rules and regulations. This service of a few hours costs the Board of Education $50 per day per matron and accounts for much of the high price of busing the handicapped.

CONVENIENCE

*It takes up to five weeks to arrange bus service for handicapped children at the beginning of each school year. Meanwhile, many children miss school.

*Buses regularly arrive late for morning classes and depart before normal dismissal time, forcing handicapped children to receive less instruction than their normal schoolmates.

*Children may spend three to four hours a day on school buses, even though they live a short distance from the school.

*Parents have waited up to four hours for children to return without being able to obtain any information about their whereabouts or reasons for the delay.

*Children must wait outside in rain and snow because matrons will not call for them at their door.

ACCOUNTABILITY

*Parents seeking information about whether buses are running in inclement weather are told to use their "common sense."

*Homeward-bound children have been discharged from the buses whether or not parents or other authorized persons were there to receive them.

*While contracts between the Board of Education and the bus companies make provision for the City to collect liquidated damages for a variety of violations of the contract, no information could be obtained as to how many violations had been filed in the past year, how many negotiated without penalty and how many resulted in penalties against bus companies. When CSS made inquiries, researchers were told that the machine which records the violations was broken.

*Numerous complaints of verbal abuse and intimidation by bus personnel were reported. Children are left behind at home and at school through no fault of their own. Parents and teachers report that they have no means of redress.

WHAT CAN BE DONE?

Detailed recommendations, printed at the end of this study, include the following:

*That the City Council establish a high level board of inquiry to investigate the operation of the pupil transportation system in New York City and make recommendations, prior to the extension or renegotiation of the bus contracts.

*No handicapped student should be required to ride more than one hour between home and school. Children should be placed in neighborhood schools whenever possible, in classes appropriate to their needs, and transportation reduced to a minimum.

*A "Complaint Review Board" with a broad representation, including parents, should be established.

*Costs must be cut and quality improved. Matrons should be eliminated where they are unnecessary or replaced if they are not properly fulfilling their job requirements. The use of alternate means of transportation, such as private

car services or underutilized City buses, should be considered where feasible, desirable and less costly.

*A two-way communication system should be required on all buses and vans transporting handicapped children, and a central telephone number should be provided for parents to call with inquiries or complaints.

*Above all, the safety, comfort and education of the children must come first - in selection and training of bus personnel, in establishing a clear chain of command from Board of Education to bus, and in evaluating in each individual case whether the child can be placed in a neighborhood school or requires transportation to another school which can meet his needs.

The charge has been made by teachers and administrators that "the bus companies rule the schools." The CSS study found many examples which appear to substantiate that charge. If the charge is true, its implication may be tragic for the handicapped children of New York City. No one should "rule the schools" except those in charge of education, and the only principle which should guide them must be the best interest of the children. This is true for all children; how much more true must it be for children for whom life is already difficult - the handicapped? For these reasons CSS believes this study to be of the utmost importance.

INTRODUCTION

Reasons and Procedures for the Study

Concerned about the educational needs of handicapped children, the Committee on Education of the Community Service Society has sought for the last two years to obtain improved and expanded services for them. A Subcommittee on Pupil Personnel Services and Special Education for the Handicapped was established with this as its major goal. In addition, with CSS sponsorship, an Ad Hoc Coalition for the Education of Handicapped Children was formed, representing 34 individuals and organizations with similar interests.

Coalition members reported that one of the stumbling blocks to adequate service was transportation: Long delays in scheduling pupils for busing to assigned schools, excessive travel time, mistreatment of children by bus personnel, loss of school time due to late arrivals and early pickups, buses improperly designed or equipped for handicapped children and inadequate procedures for parents seeking redress.

A study of the system of transportation was undertaken to determine the problems, their incidence and prevalence, and to make recommendations for the improvement of service where needed.

Extensive interviews were conducted with directors of the various bureaus for the handicapped and administrators in the Division of Special Education and Pupil Personnel Services of the New York City Board of Education, with the Director of the Office of Supportive Services and personnel in the Bureau of Pupil Transportation, with parents, pupils, teachers, principals, bus drivers, matrons, a representative of one of the largest bus companies which contracts this service to the schools, staff persons in the City Planning Commission and the Department

of Health, representatives of several organizations for the handicapped and spokesmen for other school systems outside of New York City.

In addition, observations were made at various schools around the city to which handicapped children are bused, both during morning arrival periods and at dismissal time.

An analysis of the education budget recommendations submitted to the Board of Education by the Chancellor of the New York City schools for 1975-76 aroused further concern. It revealed that transportation for handicapped children, 22,000 of whom were bused to schools in 1974-75, was costing approximately $46 million, an average of over $2,000 per child per year -- for many of these children a higher figure than the cost of educating them. An increase of $10.6 million was requested for the 1975-76 school year, 25% more than the current year.

Total school transportation costs for New York City children, including those attending private and parochial schools, have risen at a higher rate than all other education costs in the past ten years.[1] While all education costs, exclusive of transportation, increased 156% since 1965-66, transportation costs rose 209%, from $41 million to the astronomical figure of $127,653,369 in 1974-75.[2] (See Table I.) The budget request for 1975-76 is for an additional $30 million for all school transportation.

1. Of these children 600 do not attend schools within New York City. They are bused from Queens to non-public schools in Nassau County.

2. The transportation of handicapped children represents about one-third of the total expenditure.

TABLE I

Ten Year Rise in Cost of School Transportation
Compared to Rise in Total Education Budget
Exclusive of Transportation During Same Period

	1965-66	1974-75	Percent Increase in Ten Years
Total Modified Budget for Education, NYC	$875,609,746	$2,264,925,494	158.6
Modified Budget for Transportation	41,292,200	127,653,369	209.2
Modified Budget for Education, Exclusive of Transportation	834,317,546	2,137,272,125	156.2
Transportation as Percent of Total Cost	4.7%	5.6%	

Sources: Superintendent of Schools Budget Request for 1966-67, dated December 14, 1965; Chancellor's Budget Request for 1975-76, dated December 30, 1974

Until the past few years, the budget documents did not separate the costs of transporting handicapped and non-handicapped children.[1] Therefore no estimate can be made as to how the service to the handicapped has affected the increase in costs. However, one factor in this increase would be the cost of placing attendants or matrons on the buses or other vehicles for the handicapped, a service begun in 1971 under mandate of a city law to provide for the safety and welfare of the children (Local Law 13).

What, then, is the quality of the service? What is its value in relation to its cost? How does it affect the education of the handicapped?

1. The Board of Education's booklet, "Facts and Figures 1973-74" states that "Daily transportation via school bus or common carrier is provided for nearly 555,000 pupils, including 170,000 in non-public schools." A table shows that 2,702 handicapped children were transported to public schools by common carrier, 10,324 by school bus; an additional 7,252 handicapped children attending non-public schools were transported by school bus.

THE NATURE OF THE COMPLAINTS

-- A brain injured child is observed asking his teacher, "What's a moron?" The teacher asks why he wants to know and the child replies: "Cause that's what the bus driver keeps calling me."

-- A matron is seen spitting at a child.

-- A retarded child is picked up at 7:35 a.m. and delivered to school at 9:10 a.m. (a school 20 minutes away by car or taxi) although the contract with the bus company places a 60 minute limit on any ride within a borough. The mother complains without getting satisfaction and brings her problem to the attention of an organization with which she is affiliated. They determine that the delay is due to the time consumed in picking up as many as 60 children enroute, and call the bus router, who claims not to have been aware of the problem and estimates that it will take three to four weeks to reroute and improve the service. The mother is, therefore, transporting the child herself.

-- Some children are on the bus for two hours in each direction and a bus driver says one of these children on his bus get's car sick at least three times a week.

-- It is reported that Track 1 CRMD children (65-70 I.Q.) do not get bus service past the age of 10 if they attend public school; all handicapped children who attend private school receive bus service till the age of 21.

-- Buses arrive at schools as early as 7:55 a.m. and as late as 9:45 a.m., though classes are generally scheduled to begin at 8:45. Buses were observed picking children up at school as early as 1:30 p.m. for the return home, although dismissal time is 2:00 or 3:00 p.m.[1]

1. The 2:00 p.m. dismissal is for classes which require the teacher's presence to supervise and assist the pupils during their lunch hour. The teacher's free hour for lunch is thus delayed to 2:00 p.m.

-- Parents complain of waiting in the street for the school bus for an hour or more in all kinds of weather. If the bus arrives ahead of schedule, drivers are impatient and leave without the child if the parent is not outside. They complain of the frequent changes of bus personnel and of verbal abuse by the drivers. They say that no action on their part ever results in a resolution of the transportation problems which they report.

-- Construction at the curb impedes parking in front of a child's home; the matron is supposed to get off the bus and assist the child from his doorway. Instead, she remains on the bus and the driver continues on his way, to the utter dismay of the mother and child.

-- Drivers are permitted, on the basis of seniority, to pick their routes each November and February; matrons may choose route changes in December. Pupils, often insecure because of their handicaps, must be oriented to a new driver possibly two or three times a year. The problem is further exacerbated by the fact that the driver bringing the child to school is not necessarily the one picking him up in the afternoon.

-- No procedure is provided for contacting parents if a bus breaks down or inclement weather causes cancellation of the bus service.

-- Parents and bureau personnel in the Division of Special Education report delays of four to five weeks in obtaining bus service for students at the start of the school year if there is a change of school assignment or home address.

-- Teachers report coercion and intimidation by drivers to the effect that unless classes are dismissed early their school would be the last pickup point.

-- At a high school in Manhattan which receives children from all parts of the borough, some arrive as early as 8:00 a.m.(with one girl having been picked up at her home at 6:30 a.m., although the contract forbids a pickup before 7:00 a.m.), others as late as 9:00 a.m. for classes starting at 8:30 a.m. Class work for all is disrupted.

-- Teachers complain of uncooperative bus drivers and of unresponsiveness by "the bureaucracy" when they report contract infractions.

-- A common observation by parents and teachers (not denied by the Division of Special Education) is that the matrons selected by the bus companies are not chosen on the basis of special job requirements, but are frequently wives, friends, or relatives of the bus drivers. It is claimed that their involvement with each other often leads to neglect of the children.

-- Educational professionals claim that those in the transportation system (the drivers, contractors and Bureau of Pupil Transportation) often "dictate" the child's school assignment to fit existing routes, while those delivering the transportation service blame the school system for the long delays in scheduling and say that long bus rides are caused by school assignments made without taking riding time into account.

-- Although the contract provides that vehicles for the handicapped may also be used for field trips at no extra cost, teachers complain that they are not able to schedule field trips because drivers are uncooperative.

-- Information about children who move, transfer or drop out for various reasons is not forwarded promptly to the Bureau of Pupil Transportation, and bus seats which could accommodate other children remain unoccupied.

-- It was frequently stated that the "Record of Daily Bus Service" which the principal is required to sign, showing daily bus arrivals and departures, is routinely filled in by a paraprofessional once a month and certified to be correct. No effort is made to monitor the service.

-- Vehicles are in poor condition, uncomfortable and unsafe.

HOW THE SYSTEM OPERATES

When a handicapped child is evaluated and certified for placement in a special class, the request for placement is transmitted to the appropriate bureau in the Division of Special Education and Pupil Personnel Services. These include: Bureau for Children with Retarded Mental Development, Bureau for Hearing Handicapped Children, Bureau for the Education of the Physically Handicapped, Bureau for Education of the Visually Handicapped and Bureau for Socially Maladjusted and Emotionally Disturbed. Special education professionals in these bureaus determine where the child will be placed, taking into account availability of space in classes appropriate to the child's handicap, the child's age and grade and suitability of available placement to the child's educational and physical needs.

If transportation is required, the Office of Special Education authorizes the Bureau of Pupil Transportation in Long Island City to institute such service, and provides the necessary information regarding the child's identity, address and school assignment. The Bureau of Pupil Transportation employs bus routers for each borough. With the aid of maps and existing bus routes of the contract bus companies, bearing in mind the travel time which would be required, a router schedules the child for a particular bus or station wagon for the handicapped. If topographical problems, inaccessibility, excessively long distance, the unavailability of a bus route in that vicinity or other obstacle makes transporting the child to that school unreasonable or unsound, the router must consult with the particular bureau of the handicapped which made the assignment and determine whether some alternate school placement could be arranged. When the pupil's routing is completed, the Bureau of Pupil Transportation notifies the contractor to institute service on the first day of the week in which the child will attend school. The school is told

of the arrangements which had been made and in turn notifies the parent. This process is followed for every new child added to the rolls, as well as for those who move or change schools.

The Bureau of Pupil Transportation claims that it takes two to three weeks to schedule a handicapped student for a bus because it is understaffed and because the bureaus for the education of the handicapped give inadequate attention to the distance between the child's home and the school to which they assign him. Re-routing is continual throughout the year as children are added or dropped from bus routes, new classes open, new buses are added, etc. However, the major activity is before the start of school in September. In June, the schools serving the handicapped submit the names of the children enrolled for September and previous routings are discarded, to start fresh each September.

With one exception, parents, representatives of the handicapped, and professional personnel in the bureaus of the handicapped, all dispute the scheduling time reported by the Bureau of Pupil Transportation. Most claim that it takes a minimum of four to five weeks, particularly at the beginning of the year. One respondent charged that some children receive no service at all and must remain on home instruction.

The diffusion of responsibility causes frustration on the part of all concerned.

TYPES AND UTILIZATION OF TRANSPORTATION

Of the more than 40,000 handicapped children attending public schools or state-subsidized private schools for the handicapped, over half are transported to school by contract vehicles. Others who are ambulatory and assigned to schools in their community walk to school and those who are assigned to more distant schools and who can travel alone receive transportation tickets for use on the common carriers.

Because the handicaps include mental retardation, visual impairment, acoustical impairment, physical handicaps, emotional disturbance, brain-injury and neurological impairment -- and differ widely in degree as well -- some children need more specialized vehicles than others.

The Board of Education contracts for four types of vehicles: Standard school bus with a minimum capacity of 48 pupils (no maximum is stated in the contract), hydraulic lift bus designed to accommodate a minimum of 8 wheelchairs and 8 ambulatory pupils, regular station wagon having a minimum capacity of 11 children seated, and ramp-equipped station wagons with a minimum capacity for 4 wheelchairs and 4 ambulatory pupils. All must be equipped with individual seat belts for each passenger.

As of April 8, 1975 the number of such vehicles under contract to the Board of Education and their minimum capacity (excluding driver and attendant) were as follows:

Type	Number of Vehicles	Minimum Capacity Per Vehicle	Total Minimum Capacity
Standard Bus	526	48	25,248
Hydraulic Lift Bus	82	16	1,312
Regular Station Wagon	698	11	7,678
Ramp Station Wagon	34	8	272
Total:	1,340		34,510

Seventy of the 1,340 vehicles (with a total capacity of about 2,800) have been added since January 1975. In addition, 202 city-owned buses for the handicapped are operated by one of the bus companies, providing approximately 9,600 more seats. Since only about 22,000 were riding at the start of this year, the school buses were operating at about 50% of minimum capacity. Yet, the Board of Education's Office of Supportive Services has stated it will need to contract for 30 additional standard buses and 70 more station wagons for the handicapped next year.

These vehicles transport pupils to 623 schools (both public and private) in the five boroughs. The number of schools to which handicapped children are now bused, by borough, are as follows: Manhattan - 129; Brooklyn - 191; Staten Island - 30; Queens - 153; and Bronx - 120. In addition, 41 handicapped students are bused to a school in Albertson, L.I.; 3 to Glen Cove; 2 to Sands Point; and 2 to Woodbury (all in Nassau County). Of the pupils transported, 6,500 attend non-public schools for the handicapped. While public school children are generally assigned to schools within the borough in which they live, the non-public school pupil is more likely to attend a school out of borough, or in some instances, out of city. To some extent, this explains why vehicles are underutilized. It was pointed out, for example, that one child from the Bronx who has been enrolled in a private school in Westchester County will be the only child on a vehicle, with a driver and matron as required by law. The cost could range from $18,000 a year to $34,000 a year depending upon whether the bus will be used for another run. The cost for transporting this one child could be about $100 a day.

Requests for information about how many vehicles there are carrying one, two or a few children remain unanswered.

When the current contract with the bus companies was bid on August 1971, the number of vehicles estimated as required for 1971-72 were as follows:

Standard bus	-- 253
Hydraulic Lift bus	-- 41
Regular Station Wagon	- 375
Ramp Station Wagon	-- 20
Total:	689

In addition, the city had purchased 367 buses in 1970 from a defunct bus company and leased them to the Board of Education which in turn gave them to the major bus contractor. Of these, 165 were for normal school transportation, 202 for use by handicapped children. The contractor reduced the price for operating these buses by two dollars a day.

Without including these 202 city-owned buses, the number of vehicles increased 50% in four years, although the minimum capacity of the contract buses in operation four years ago was 26,781, a number still in excess of the number of pupils being transported today.

Other questions arise as to full utilization of all the vehicles. Many of these buses make more than one run. That is, they will pick up and deliver children along a route, then pick up more and deliver them to other schools. These buses can be used for more than the minimum capacity. However, teachers, principals and others say that two, three or more buses discharge children at their schools with very few children on each. On the other hand, one bus was reported to be carrying 60 children, and some children cannot get bus service.

Since the contract with the bus companies is based on a cost per day per vehicle, not on the number of children served, it raises a question as to who determines and verifies the number of vehicles needed for efficient service. Ostensibly, the decision rests with the Director of Pupil Transportation. His judgement is necessarily based on what the contractor deems feasible with the vehicles he has in operation.

While routing for the handicapped is done by the Bureau of Pupil Transportation, routing of the buses for the non-handicapped population (92,432 normal children also ride on contract vehicles) is done by the bus companies, according to information given CSS, which would appear to indicate that the contractor decides how many vehicles he will use. It is unlikely that the contractors are concerned with effecting economies for the Board of Education.

One company, Varsity, has the vast majority of the school transportation business, with 1,433 vehicles serving both handicapped and non-handicapped children: their closest competitor is Pioneer with only 122 vehicles; next is Parochial with 89; and the balance of 491 vehicles (for handicapped children only) is spread among 45 other smaller companies.

Some suggest that utilization of the buses is greater than it appears to be because under the contract the vehicles "may also be used for field trips, special events or other emergent situations as prescribed by the Director." The contract further states that such use for field trips shall not be restricted to handicapped pupils nor to the schools on their usual routes. CSS was not able to determine to what extent such use is made for non-handicapped children, but teachers of the handicapped complain bitterly that they are often unable to arrange trips for their children because drivers will not cooperate.

COST FACTORS IN SCHOOL BUSING

In addition to the types of vehicles described for the handicapped, there are 613 buses in operation designated as "normal buses" (those under contract for non-handicapped children) and 182 "open enrollment buses" (those used for integration).

The daily rate varies with the type of vehicle. As of February 11, 1975 the following average prices per vehicle under contract were quoted to us by an official in the Board of Education (the table also shows annual cost based on 183 days of service per year).

Type of Vehicle	Daily Rate	Annual cost per vehicle
Normal bus	$108.00	$19,764
Open enrollment	$108.00	$19,764
Handicapped bus	$179.73	$32,891
Lift-gate bus	$176.41	$32,283
Station wagon - regular	$162.02	$29,650
Station wagon - ramp	$164.62	$30,125

Subsequently, in June 1975, much higher daily rates per vehicle were quoted to us by another official:

Type of Vehicle	Daily Rate	Annual cost Per vehicle	%change from February, 1975
Normal bus	$139.12	$25,459	+ 29%
Open enrollment	$139.12	$25,459	+ 29%
Handicapped bus	$188.93	$34,574	+ 5%
Lift-gate bus	$194.47	$35,588	+ 10%
Station wagon - regular	$183.40	$33,562	+ 13%
(No figures quoted for ramp station wagon)			

Based on these figures, it would appear that the cost of all school transportation rose from $128 million to $141 million in the first six months of this year; the cost of transportation for the handicapped from $46 million to $57 million. It was reported that the number of handicapped children served by the contract buses has increased to 25,000.

The normal bus, CSS was told, transports 150 children per day in grades kindergarten through sixth. However, based on the number of buses (960) and number of children carried (94,432), these seem to be operating at about two-thirds of capacity, a higher utilization rate than that of vehicles for the handicapped.

As a result of the differences in daily rate per vehicle and utilization factors, the average cost per year for a non-handicapped child riding a school bus is about $264, compared to $146 paid for public transportation for travel to school.[1] For the handicapped child the average cost is now over $2,200 per pupil per year and due to increase again.

A major difference is the cost of the matron on the school bus or station wagon for the handicapped. CSS was told that the matron earns $136 a week but costs the Board of Education $50 a day or $250 a week, after fringe benefits are covered. The workday of the matron, as well as the driver, is 7:00 - 9:00 A.M. and 2:00 - 5:00 P.M.

The smaller capacity of station wagons and hydraulic lift buses also makes a difference in per pupil cost.

Salary costs and fringe benefits for drivers and matrons or attendants are not within the Board of Education's control. CSS was advised that under an arrangement made by a former mayor with the Amalgamated Transit Union, Local 1181, school bus operators are paid the same wage rate as bus drivers for the New York City Transit Authority. The same is true of mechanics. Wage adjustments are automatically made to conform with increases granted the T.A. workers. As of April 1, 1975 a five percent increase went into effect. Equivalent fringe benefits must also be provided under the contract.

Matrons and drivers are paid for an 8 hour work day within a 10-1/2 hour daily spread, although they may work as few as five or as much as eight hours (if field trips or other runs are scheduled.)

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1. The Board of Education receives funds from the City to pay the Transit Authority 35 cents per ride and an additional service charge of 5 cents per ride for each pupil. The $146 annual cost per pupil is based on travel in single fare zones.

In addition, according to a union representative, the bus contractor maintains a standby crew equal to 8% of his full force, to substitute for absent drivers, dispatchers, mechanics and matrons. If the standby staff do not work, they receive half pay for the day. When C S S questioned why so many standbys were employed, the researcher was told that the contractor makes the determination based on his absentee experience.

The smaller companies operate at a lower rate. Excluding Varsity and Pioneer, the average daily rate per station wagon is $155.18.

A comparison made with the costs of school transportation in two suburban communities, and with the costs of operating the agency-owned buses of a private organization which maintains schools for physically handicapped children, shows New York City's to be significantly more expensive.

The private agency estimates its yearly cost at $14,762 per van, but does not have matrons on the van. However, the city's daily cost of a matron at $50, multiplied by 183 days, would only add another $9,150, for a total annual cost of under $24,000. The ramp-equipped station wagons contracted to the Board of Education cost over $30,000.

A city in Westchester County reports paying $900 - $1,000 a month per contract bus with a capacity of 45 riders ($9,000 - $10,000 per 10 month school year.) A school district in Suffolk County which owns and operates its own buses estimates its annual cost per bus at $15,178; 4,200 children are transported daily, including 332 to private and parochial schools and 106 handicapped children. Their average cost per child per year is $112. Although the cost of transporting the handicapped children is higher than the average, no separate figures were shown in their transportation budget.

Neither district uses matrons but the cost (at the New York City rate) of that service, if it were provided, would raise the Suffolk district's annual cost per school bus to under $25,000, compared to over $34,000 for the handicapped bus in this city, and the Westchester cost to $18,000 - $19,000.

An administrator of a private school in New York City who claims to have analyzed the cost-profit figures of the school bus operation for the handicapped, estimates that if he went into business with 10 station wagons and could get a contract with the Board of Education, he would realize a profit of $65,000 a year. An administrator in the school transportation system acknowledged that this would be a valid estimate.

C S S was told that under the Board of Education's previous contract for normal bus service, for the years 1968-71, the daily rate per bus was $76. Today that same service costs $139 each day. Inflation has affected the costs of all other school services but has not caused them to escalate as rapidly as the transportation costs. These are attributed mainly to union-won increases in wages and benefits. One source reported that the union now receives $88 per month in welfare benefits for each of the bus personnel employed pursuant to the contract (matrons, drivers, mechanics, dispatchers, etc.) with the larger companies.

The increased cost of gasoline represents such a small percentage of the total school transportation costs that it cannot be used as a justification for the rapid rate of increased costs in New York City. A breakdown of transportation costs in the Suffolk County district which operates district-owned buses, shows that gasoline was 3.5% of the cost in 1973-74 and 4.5% of the cost in 1974-75.

Section 156.15 of Chapter 11 of the regulations of the State Commissioner of Education, pertaining to annual extensions of transportation contracts, states that "fixed prices and/or unit rates (are) not to exceed the contractual amount paid in the preceding year by more than the increase in the national consumer price index (CPI) for the 12 month period immediately preceding the month in which the contract terminates." C.S.S. has been told that wage adjustments and increased benefits for bus personnel have driven the price up at a rate considerably higher than the CPI.

COMFORT AND SAFETY FACTORS ON THE VEHICLES

A frequent complaint of students, parents and teachers of the physically handicapped is that the buses are obsolete, in poor condition, uncomfortable, and meet only the barest minimum in standards of safety and comfort. Equipment was described as a "rough facsimile" of those special features needed for the transport of these children. The hydraulic lift buses were described as being too narrow, with seats too shallow. The steps were criticized as making boarding difficult for children on crutches or wearing braces. There are no handles for the student to hold while getting on and off the bus. Only minimal requirements are called for in the contract's "vehicle specifications". Standard school buses for the handicapped are required to have"a minimum aisle clearance of 12 1/2 inches and a minimum height of 75 inches. The entrance steps shall be no more than 15 inches from the ground with tires fully inflated and upper step or steps shall not have a riser of more than 7 inches. Risers shall be of equal height." Those are the only specifications.

The hydraulic-lift buses are required to be designed to enable an attendant to "assist a pupil in a wheelchair into and out of the vehicle by use of the lift without discomfort or danger to the pupil --- and so that the attendant can securely anchor the wheelchair to the floor of the vehicle." They must also permit substitution of "seats with safety belts for use by ambulatory pupils" for wheelchair spaces when required and the seats must be bolted to the floor. Again, those are the only specifications.

Regular station wagons have no specification other than capacity. For the ramp station wagon only the ramp equipment to accommodate wheelchairs is mentioned.

All vehicles are required to be "equipped with individual (safety) belts for each passenger carried."

Parents, children and teachers have reported to C S S ,however, that children are not infrequently seated three to a seat designed for two and equipped with two belts. Two children are then secured by a single belt. If one of these children leaves the bus before the other, care is not always taken to re-secure the belt on the child remaining in the seat. Several persons interviewed reported neglect in enforcing the requirement that seat belts be fastened. Children have fallen out of their seats as a result of this negligence.

A high school teacher told of a bus driver so eager to load the pupils as quickly as possible that he put two students on the hydraulic lift at once, one in a wheelchair, the other ambulatory but unsteady due to muscular atrophy. The lift fell and the teacher described as a "miracle" the fact that these children did not suffer serious or permanent injuries.

Parents complain that they have been promised new buses for years but that this promise remains unfulfilled.

A teacher of the visually impaired worries about the danger to some of her charges caused by the hard, bumpy ride.

Those in pupil transportation agree that hard seats should be eliminated and hard exposed surfaces cushioned; that safeguards need to be incorporated in the interior design of the vehicles. (Note: the regulations of the State Commissioner of Education require cushioned seats and padded seat frames to prevent injury in the event of sudden stops). C S S was told that new buses are equipped with higher, padded seats and other protections. However, researchers asking about other needed functional apparatus were told that the children vandalize the equipment -- cut the buckles off the seat belts, rip the rubber off handrails, and steal fire extinguishers in the few buses which have them. Students and teachers expressed shock and doubt at these reports. The physically handicapped have a difficult enough time to protect their own safety on the buses and it seems highly unlikely that they would engage in such vandalism.

There are no first aid kits on the buses, though required by Chapter 11, Part 156 of the Regulations of the State Commissioner of Education (as are fire extinguishers), nor are there two-way radios or any other means of communication for use in times of emergency.[1]

The contract between the Board of Education and the bus companies clearly states:

> In case of an award to a contractor involving numerous vehicles, all vehicles are to be equipped with two-way radios and shall have continual open contact with contractor's garage and office of the Director of Transportation. For such other contractors, other means and methods of providing for direct, open contact between the contractors, his garage or office and the office of the Director of Transportation shall be established at the discretion of the Director. All equipment and personnel referred to herein shall be supplied by contractor and maintained by contractor at his own expense. A list of equipment and personnel used for this service shall be submitted to the Director.
>
> The Director shall advise contractor of wave length or frequency to use for communication and the use of the radio shall be as per rules to be set up by Director.

When asked about this contract requirement which is not complied with in any of the vehicles used, an official at the Board of Education suggested the interviewer was misinterpreting the reference in the contract. He maintained that it was intended only to refer to spare vehicles used to perform emergency service. He made a note to delete this language from the next contract.

Pressed further about the need for some communication system between the bus and a service point, in case of an emergency, he stated that an electronics firm was studying various options. In his opinion the cost of installing two-way radios would be prohibitive, perhaps $2.5 million.

A dramatic example of problems caused by the lack of a communication system came to light shortly after this interview. A parent representative of an organization for handicapped children telephoned CSS to advise of a call just received from a distraught mother. Her child's class is normally dismissed at 2:00 p.m.

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1 Federal Highway Administration regulations also require that any bus or motor vehicle carrying passengers must be equipped with fire extinguishers and first-aid kits meeting Federal standards.

and the child delivered home at 2:20. When the child did not arrive by 2:30, she called the school and was told the children had not boarded until 2:30. At 3:15 the child still had not arrived home and the mother called the school again. This time she was informed that the regular bus had broken down and the children had not boarded a replacement bus until 3:00. At 3:30, the mother called the organization in desperation and said this was the third breakdown in two weeks. She did not know when her child would arrive home and she asked for help.

Another problem reported by a teacher of physically handicapped children was that of drivers ignoring doctors' notes about the child's needs. A pupil who was riding over two hours in each direction was repeatedly placed in the back of the bus against his doctor's orders despite the fact that the doctor had written several notes.

CSS inquired of the Bureau of Pupil Transportation how many accidents and injuries were reported in the past year. With the caveat that "not all those reported are truly accidents," the estimate given was seven to ten incidents a day.

According to New York State law, Section 3623 of the Education Law, emergency drills are required "to be conducted on all school buses. A minimum of three such emergency drills shall be had on each school bus during the school year, the first to be conducted during the first week of the fall term." Handicapped high school students, who have been traveling on school buses to and from school for ten to twelve years, uniformly said they had never had any emergency drills on any bus anytime.

The regulations of the State Commissioner of Education specify that the emergency drills "shall include practice and instruction in the location, use and operation of the emergency door, fire extinguisher, axe, first-aid equipment and windows as a means of escape in case of fire or accident."

The regulations also state that "drivers shall not allow pupils to thrust their heads or arms out of open windows." Nevertheless, pupils in school buses proceeding along 23rd Street after leaving P.S. 47, the School for the Deaf, were

observed thrusting heads and arms out of every window and no effort was made by the driver or matron to correct this.

BUS PERSONNEL - LABOR AND EMPLOYMENT PRACTICES

In accordance with regulations of the State Commissioner of Education, the Board of Education's contract with the bus companies requires that they employ persons of good moral character, check references of applicants, and submit their medical certificates and fingerprint records to the Bureau of Pupil Transportation. No applicant may be employed until approved by the Director of the Bureau.

The contract further states:

> Bus operators must be duly licensed, competent, reliable and over 21 years of age...physically fit and properly qualified by experience and training to perform their duties. Bus operators must at all times be courteous and avoid the use of brusque, impatient or violent language in their dealings with pupils, school personnel or the public. They shall not, while on duty, conduct themselves in a manner that might cause embarrassment to or criticism of the Board of Education or interfere with the efficient performance of their duties...
>
> If, at any time, the Director shall find and declare any operator disobedient, incompetent, disrespectful, or driving in a hazardous manner; of if the Director shall find any operator making an unauthorized stop or an unauthorized change in established route for which the operator may or may not accept additional remuneration from other than his employer, or if the Director shall find that the driver has a previous record of careless or unsafe driving, the contractor, upon receiving written notice from the Director to that effect, shall not again employ this operator on any part of the work to be performed hereunder, or on any part of any work the contractor may perform for the Board of Education under any other contract.

According to teachers, parents and the handicapped children interviewed, the rules of conduct described above are not universally observed. Discourtesy, foul and insulting language, and impatience of drivers were often cited as the characteristics which inhibited school personnel from making just demands of service for their pupils. "Harassment" by bus drivers was a frequent complaint. Though some drivers were described as "great" (some take the children on outings at the end of the school year or buy Christmas presents for them), others were accused of kicking and spitting at children.

The contract further requires that the bus operators:

> ...attend one training session per school year to be held between November 1 and December 31. These training sessions shall be scheduled by the contractor with the approval of the Director to be held at an hour and location convenient to the contractor and his bus operators. The contractor shall furnish the premises required at his own cost and expense, and shall not be entitled to any additional compensation from the Board for these training sessions.

The Commissioner's regulations now require (since July 1, 1973) that "all school bus drivers shall receive refresher instruction in school bus safety at least three times a year, at sessions conducted prior to the first day of school, prior to January first, and prior to May first of each year."

CSS was advised that in New York City drivers are not required to attend more than the one session referred to in the contract.

Drivers receive no training about the nature of the handicapping conditions of the children they serve.

As for making unauthorized stops, it was reported by a teacher in the Bronx, and confirmed by those working in the pupil transportation system, that many drivers pick up the matrons at their homes after the morning run has started and drop them off at their homes in the afternoons before all the children are discharged from the bus.

Matrons or attendants, like the drivers, are employed by the bus companies for vehicles transporting handicapped children. There appear to be no special criteria for their selection, other than that they pass a medical examination. They receive their training from the Division of Special Education and Pupil Personnel Services, in two sessions of two hours each in the school year.

A "Bus Escort Manual" also is given to each matron. It briefly describes the matron's duties for physically handicapped children, such as wheeling children in wheelchairs to and from the door of the school, strapping children in with safety belts, assisting ambulatory children up and down the steps of the bus, etc. Too frequently, the term "when necessary" is used, leaving options open for no assistance. For handicapped children on standard buses, similar duties are stated and others are added, such as:

4. Escorts are to sit in the middle of vehicle.

5. In the event of an emergency situation (snow, excavation, etc.) alternative arrangements must be personally made with parents.

7. If the adult designated by the parent to receive the youngster is not present when the child is returned home from school by bus, the child may not be left with any unauthorized individual. The driver and the bus escort are to notify the dispatcher and return the child to the garage or police station.

On none of the buses observed during the months of this study did the matron sit in the middle of the vehicle. She invariably sat at the front of the bus behind the driver.

One of the frequently repeated complaints of parents is that they are not advised of alternative arrangements for emergency situations. They complain that when an excavation or other blockage impedes stopping at the appointed place, the bus just speeds off leaving the child behind. When an official in the Bureau of Pupil Transportation was asked how parents were notified of changes in case of snow or other problems, he replied that they are not, that they are expected to use "common sense" or just wait for the bus. According to parents and children, the procedure in #7 is likewise not followed.

In view of the general dissatisfaction reported and the obvious absence of accountability of matrons and drivers to the school system, CSS asked why the matrons were not screened or hired by the Board of Education, as are paraprofessionals in the schools. The answer from one of the officials who was willing to provide an answer was that the transit union demanded this system because it meant additional dues and welfare contributions to the union.

In contrast to the experience in New York City, the school district in Suffolk County which owns and operates its own school transportation system, reports that it has very little turnover of personnel, the drivers are courteous and care about the children, are well-liked, and responsive to the school administration. Their drivers are members of the State Civil Service Employees Association.

What is readily apparent in New York City is a notable lack of accountability of the bus personnel to the school system. Furthermore, the Board of Education has little control over transportation costs because--

1. salaries, benefits, and the terms and conditions of employment of bus personnel are negotiated between the union and the private bus companies, and
2. competitive bidding is restricted by the fact that only one company has a large enough fleet of vehicles to provide the major part of the services required.

HANDICAPPED PUPILS DESCRIBE THEIR EXPERIENCES

Students interviewed at one high school were eager to share their experiences. These were physically handicapped youngsters, all but one of whom lived in the general geographic feeding pattern of the school. Some are confined to wheelchairs; others are ambulatory but walk with difficulty, are unsteady, or depend on crutches. These 24 students arrive on six hydraulic lift buses. One of these buses transports six ambulatory pupils -- no pupils in wheelchairs ride with them. The bus has only four seats for ambulatory children, so four of them are forced to sit two in a seat with a single seat belt.

The ambulatory youngsters, who need supports for assistance in boarding, complain that the only thing they can hold on to is the bar which opens the bus door. There are no handrails to help them up. They also complain that the first step is too high (it is double the height of the other steps).

All of the students interviewed claim that the matron does little or nothing for them and is unnecessary. In general, they thought the drivers and matrons are "really nice," but when asked whether the matron helps them to maintain their balance while ascending to or descending from the bus, said "no." This was also observed by the CSS interviewer at dismissal time. When asked whether the matron assists them to the door of their home, they replied "No, the matron never gets off the bus."

One matron was reported to have refused to help push a wheelchair into position because she might hurt her back. Several students said the matron does not lock their chairs into position, but holds them in place while the students lock them themselves.

One student stated that last year, after she was picked up in the morning, the driver would stop the bus around the corner and he and the matron would have coffee before continuing on to school, causing the student to be late everyday.

Another student, who said covering the distance from his home to school would take only 15-20 minutes if driven directly, reported that he spends 1 1/2 to 2 hours on the bus because, after he is picked up, the bus goes to Welfare Island to pick up a student (in residential treatment at a hospital there) and then zigzags across the borough for others. Afflicted with scoliosis (curvature of the spine), he complained about the bouncing of the bus during this long ride.

Several students mentioned this bouncing, caused by poor suspension and potholes in streets. They said the rear of the bus was particularly bad, the front steadier because of the heavy weight of the motor. Another student, paralyzed from the waist down, said that the bus bounced him partially out of his wheelchair and his heel was split open on the footrest.

They spoke of wheelchair brackets not being secure and of a wheelchair having been bounced out of the bracket. They said the seat belts were old and frayed, some operating on a thread, and were not repaired. The metal frames around the seats were said to injure them, and they found the seats too small from front to back. The buses were described as old, perhaps seven or eight years old, and "falling apart."

A major complaint was that the lifts are too small to accommodate many of the wheelchairs properly. The chairs are supposed to be placed on the lift in a horizontal position so that the front gate can be lifted and locked so that the chair will not roll off. Because the lift is not wide enough, the chairs are placed on them with the wheels extending forward and the gate cannot be raised and locked. The driver holds the gate up at a slight angle and also holds the chair as the lift moves up to the bus. This, too, was observed by the CSS staff interviewer, as was the simultaneous loading of two students on one lift. One was in a wheelchair and one was on crutches. One crutch became entangled in the wheel of the chair. Many children said their wheelchairs had been damaged by the bus equipment. The lifts are unsteady; gates are insecurely attached. On one bus, the bar on the side of the lift, which the student must

grasp as the lift rises, was broken off; wheel brackets are loose; hooks to secure the wheels of the chair in the bus are not properly maintained; seat belts are rusty and come loose.

The pupils later said they were apprehensive about complaining because they are intimidated by the drivers.

The drivers insist that the children be at the curb before the end of their class period. This school's policy permits the handicapped pupils to leave class seven minutes before the end of their last period, so they are usually downstairs early. If they are delayed a few minutes finishing a test or getting the homework assignment, the driver gets angry and students have had the experience of being left behind at school and dependent on the teacher to take them home. One student on crutches said he fell three times one day in his haste to reach the bus on time.

Because matrons never go to the doors of their homes, the youngsters are told they have to be outside, no matter what the weather conditions; if they are not, the bus will leave without them. When the bus arrives at school, a health aide from the Department of Health pushes the wheelchairs from the bus to the school. At dismissal time in bad weather he allows the pupils to wait inside the school door until the bus arrives and then brings them out. However, in severely bad weather a child who waits inside his doorway at home risks being left behind. Neither the driver nor matron will help him to the bus. Though required by the contract, not all students receive door to door service. One student described as hydrocephalic, mildly brain injured and cerebral palsied, is discharged from the bus a block away from his home. The driver gets off the bus and helps him cross the street and then the boy walks alone the balance of the way.

No effort is ever made to determine whether the parent or other designated person is on hand to meet these pupils when they return home.

The teacher and principal both claimed that the Bureau of Pupil Transportation and the bus companies are unresponsive to the needs of high school students and the school schedules they must meet. This school, because it is overutilized and has an enrollment of 5,000 pupils, has end-to-end sessions starting at 7:15 A.M. and ending at 6:00 P.M. It is intended that the handicapped students be "mainstreamed" with regular class placements. However, because of the bus scheduling, they cannot be accommodated in any afternoon classes beyond 4:30 P.M. As noted by other professionals in special education, "the bus companies rule the schools" here as elsewhere.

A student said that at the school he previously attended, four blocks from home, classes started at 8:30, but he was not picked up by the bus until 9:00 A.M. His mother took him to school every day to avoid his missing part of his morning class.

At the high school level, with these 24 students distributed through all four grades, scheduling their classes to meet their educational needs becomes impossible because of their bus schedules. They cannot participate in extracurricular activities, attend student association meetings or get tutorial help, since all of these are offered late in the afternoon.

One student is the only passenger on the bus which brings him to school. The bus is always late and the student either misses or arrives late for his first period class.

The school has considerable correspondence on file regarding the transportation problems. Sometimes letters are acknowledged; generally they are not. In any event, little seems to be accomplished.

After leaving this school, the CSS interviewer called a taxicab service for the drive back to the office. It was a spacious, comfortable, limousine-type car with two-way radio. The driver was asked for an estimate of what it would cost to pick up a student, given the furthest home address from which

the students at this school travel, deliver him to school and make a return trip at a later time. The rough estimate was six dollars each way, even if another student was picked up in the same vicinity. For a shorter ride for students living closer to the school, his estimate was $1.50 to $2.00.

Not only would such service cost the taxpayer a fraction of what is now paid for the bus service, but each pupil would be assured of a more comfortable, shorter, more direct ride, and of being able to schedule his arrival and departure from school to coincide with class assignments most appropriate to his needs. The parents' judgement would control in the selection of taxi or car service. As with others who use such car services, the pupil could remain indoors in inclement weather until the vehicle arrived, without fear of being left behind or scolded.

All of these students claim to be able to get into and out of a car without difficulty. Some are even taking driver education. The difference that car service, as opposed to bus service, would make in their lives is immeasurable.

OBSERVATIONS AT ADDITIONAL SCHOOLS

At a school in Brooklyn which has several classes for the mentally retarded, eight buses (minibuses and large buses) were observed arriving in the morning and discharging 77 pupils. These buses carried as few as 2 children and as many as 18 and arrival times were from 8:30 to 9:00 A.M. On the larger buses children had been riding as much as an hour and a quarter.

The drop-off place in front of the school was on a one way street with the school to the left of the driver. Children were discharged into the middle of the street and passed in front of the bus to reach the curb. When more than one bus arrived at approximately the same time, the second bus pulled up slightly ahead of the first bus, so that the children from the first bus had to walk in the middle of the street until they could pass in front of the second bus. The matrons did not assist the pupils nor accompany them as they left the buses. The driver of the front bus was observed racing his engine as the children passed in front.

Pickups in the afternoon began at 1:45 P.M.

Teachers interviewed stated that if the pickup point at the child's home is blocked by a garbage truck or construction or other traffic conditions, the bus leaves without the children. They report children missing as much as two months of school because of a change of address. Mentally retarded children, they say, are assigned to a bus without regard to their age and younger children are "beaten up by the older kids;" escorts are either not trained to cope with this situation or choose not to. Size, as well as age, was a factor which they said was ignored in assigning students to minibuses. This, too, they said, resulted in pupils frequently being left at home because, on some days, there was no room for them on the bus to which they were assigned.

At a school in the Bronx, which has classes for educable mentally retarded, the buses arrived at 8:30 and 8:40 in conformity with the 8:45 A.M. start of the school day. However, classes at this school are dismissed at 2:10 P.M. although the parents claim that their children are entitled to a full school day with a 3:00 P.M. dismissal. Bus pickup was at 2:20 P.M. It appears, from comments of an official in the Bureau of Pupil Transportation, that this schedule was determined by the school principal, not the transportation system.

The monitoring of the arrivals and departures of the buses at this school was done by 6th grade students. Riding time extends beyond an hour for some of the pupils, as in most of the routings for handicapped pupils. Matrons provided no assistance. Teachers at this school also complained of the long delays, up to four weeks, in getting bus service for children whose families move.

Teachers recommend smaller buses, because the fewer the children riding, the more direct the route, the shorter the riding time, and the better the care and discipline on the bus.

Teachers of the handicapped, in many of the schools visited, seem to make extraordinary efforts on behalf of the children in their classes. They arrange activities for those who arrive before the school session starts and manage to accommodate those who arrive as much as a half hour after the session starts. However, programming, particularly at the high school level, is disrupted and many children are denied a full school day due to the transportation problems.

At a school in Manhattan three brain-injured children arrived at 8:40 A.M. and departed at 1:35 P.M. The children were observed alone outside in the playground at 1:20. Because vision-impaired children are on a different schedule in this school, the same bus makes two trips, arriving at 8:05 with two such children and picking them up at 2:00 P.M.

At a school in Queens, one of the buses arrived at 8:20 A.M. with 65 children on it, seven of whom remained on for delivery to another school. Another bus which serves 36 pupils attending three different schools, began its pickup

of pupils at 7:15 and arrived at 9:10 A.M. The driver said one girl becomes car sick regularly. He also expressed concern that he had no information on what to do about a "bleeder" (hemophiliac) who rode his bus. The principal at this school expressed an interest in having the pupils arrive earlier, but was unconcerned about the length of riding time endured by the children.

One school in Manhattan which has classes for the orthopedically handicapped, the brain injured, blind, and emotionally disturbed, has children arriving on four separate buses which discharge from one to four children each at this school. Arrival time is from 8:15 to 9:05. The principal expressed general satisfaction with the bus service. The Co-ordinator for the Health Conservation Unit said that she had been firm with drivers and that, as a result, arrival and departure time was consistent with the school schedule. Her chief complaint was the condition of the buses and the uncomfortable rides which are unsafe for orthopedically handicapped children. She cited the absence of special equipment to facilitate boarding and to provide comfort on the bus. Some parents complained that their children have to leave school earlier than the normal dismissal time because they are assigned to a bus carrying high school students who have an earlier schedule. As elsewhere, there were complaints that bus drivers resist arrangements for school trips. We were advised that at this school the length of ride for physically handicapped children did not exceed 45 minutes.

Another Manhattan school is served by four buses which were observed discharging a total of 20 children. Four children arrived at 8:10 A.M., three at 8:15 A.M., five at 8:20 A.M., and eight at 8:45 A.M. At this location the assistance by the matrons at the curb was described as efficient. Bus personnel said that some of the problems they faced were traffic, streets blocked by garbage trucks, field trips which conflicted with afternoon pick-up times, children not being dismissed on time and school aides not meeting the children.

Better Service for Private Schools

While nearly all of the public school personnel and students complained of the bus service to the handicapped, private schools appear to be better satisfied with the service they receive, judging by the response of four private school administrators. Major differences, though, appear to be the type of vehicle used (station wagons or vans rather than buses) and the fact that these schools are serviced by smaller companies.

These schools claim they have no difficulty, the vehicles come on time and leave at times determined by the school administrator. Drivers are said to be cooperative and friendly to the children. The bus companies which provide the service are responsive if the school suggests that personnel on the bus are inappropriate. These schools seem to have established good relationships and drivers tend to stay on these routes for years.

Not all parents sending children to the private schools have been as pleased as these school administrators seem to be, and those private schools which are served by the major contractor generally have the same complaints as the public schools do. The following instances have been related by parents:

--A boy living in lower Manhattan is picked up at 7:45 A.M. in order to reach his midtown school, where classes start at 8:30. Several weeks after the start of the school year, a neighbor reports to the child's father that she has seen the bus parked several blocks away, without driver or matron, but with the child inside. Driver and matron were having coffee.

--A young, brain-injured girl is transported from her home by a large school bus. Her West Side apartment building has a circular driveway too narrow for the bus, so the bus stops across the street. Since the

child knows that her parents will not permit her to cross the street and since the matron will not get out of the bus, the bus drives away several times, leaving the child downstairs. The child's mother has to be summoned to take her to school.

Note: Additional difficulties are described in letters from parents, students, professionals, a councilman, and others in appendix A.

VIOLATIONS, PENALTIES & ACCOUNTABILITY

At the very beginning of the CSS inquiry, interviewers had asked what recourse parents had if bus service was not suitable or reliable, where complaints were received and how they were resolved and what was considered a valid complaint. The response from the Bureau of Pupil Transportation was that the parent notifies the school or talks to the driver. If, in the opinion of the school personnel, the service falls short of contractual specifications, a violation form is filled out and sent to the Bureau's office. It was stated that a valid complaint would be failure to arrive on time or not all or an inordinate length of riding time.

Maximum riding time was given as one hour if the ride from home to school is within borough and 1-1/2 hours if it is necessary to cross borough lines. However, it was acknowledged that riding time often exceeded these limits by a half hour in each direction.

A "Record of Daily Bus Service" form is provided to the schools for the daily monitoring of the time of pupils' arrival and departure (see appendix B).

It also provides space for identification of the contractor, driver, route number, bus number, matron and teacher, as well as information about the number of pupils on the bus. It is generally filled out by school aides and must be signed by the principal. While some school aides are diligent in filling out the form, others are said to falsify the arrival and departure times. This practice was described as "pervasive" and done in the name of "convenience" for the school personnel and the drivers. Under these circumstances, there would be no evidence of late arrivals or early departures. It was reported that a not uncommon practice is that of filling out the form once a month on the assumption that the service had been the same on all of the days as it was on the day the form was filled in.

A "Notice of Violation" form is also provided to the schools by the Bureau of Pupil Transportation (see appendix B). It contains a check list for seven types of violations and also requires the principal's signature. The types of violations listed are limited to the following:

a. Late arrival (less than 5 minutes before start of session)
b. Late arrival (after start of session)
c. Too early arrival (more than 30 minutes before start of session)
d. Late departure (arrival of bus more than 30 minutes after end of session)
e. Overload: Grade of pupils ___ Registered capacity ___ Pupils carried ___
f. Scheduled pick-up point not served (Give details)
g. Failure to provide service or other violation (Give details)

It is required that the form be mailed to the Bureau of Pupil Transportation no later than the day following the violation. The form has triplicate carbon copies: one is retained by the school, one transmitted to the bus company for its files, and one which the bus company must transmit to the Bureau of Pupil Transportation within 5 days with an explanation of the occurrence.

The form does not specify a type of violation which was one of the most frequently cited in complaints about the service, that is "early departure" resulting from driver's insistence that the students be dismissed before the close of the school session. Nor is there a category for length of ride in excess of the maximums set forth in the contract or for escorts not assisting the pupils, or categories related to the structural or safety features of the bus and its equipment, or drivers not observing safety precautions in loading and unloading, or drivers and matrons not conducting themselves in the manner prescribed in the contract and training manual, or for leaving a child with an unauthorized person.

An examination of the contract between the Board of Education and bus companies providing transportation of handicapped pupils reveals specifications of which no mention is made in the "Notice of Violation." Among these are the following:

> On the trip to school each child will be picked up at the curb at a point as close to the front entrance to his home as possible...
> In all instances, the pick-up and drop-off point must be at a location where access will be from the right (door) side of vehicle...

Vehicles must not leave a pick-up point until the scheduled time...

Pupils must...be transported from the school not less than five minutes...after the end of their session...

No physically handicapped, mentally retarded or emotionally disturbed child will be required to ride more than sixty (60) minutes on either the trip to school or the trip from school when traveling in intra-borough service; or more than ninety (90) minutes...in interborough service. In isolated cases where it is impossible to meet these requirements, the Director may waive these time limitations (example given of Far Rockaway to Manhattan or Bronx)...

The vehicles contracted for herein may also be used for field trips, special events or other emergent situations as prescribed by the Director...

If, at any time, the Director shall find and declare any operator disobedient, incompetent, disrespectful, or driving in a hazardous manner or...making an unauthorized stop...the contractor, upon receiving written notice from the Director to that effect, shall not again employ this operator on any part of the work to be performed hereunder...

To insure efficient operation and to render emergency service as necessary, the contractor must have available sufficient qualified competent personnel and vehicles to enable contractor to dispatch and place a spare vehicle into operation promptly; if, and where necessary... (Contractor required to have one spare bus for every twenty in daily operation, but maximum number of spare buses not to exceed ten; and one spare station wagon for every ten in operation, but not to exceed three)...

All vehicles shall be equipped with individual belts for each passenger carried...

The manufacturer's year of any vehicle used in the performance of this contract shall be not more than six (6) years prior to the year in which the vehicle is being used...

Reference to other contract specifications has been made in previous sections of this report. Not only does the "Notice of Violation" make no specific reference to these contractual obligations, its format--a checklist--provides no clues as to the extent of the infractions.

This form, at best, would be an inadequate documentation of the kinds of violations reported and observed during the course of the CSU study. It is certainly not an instrument to insure accountability for the bus service to the handicapped. It is not a mechanism which permits parents, teachers, the bureaus

for the education of the handicapped in the Division of Special Education and the organizations representing the handicapped to file complaints and obtain satisfaction.

It was stated that once a notice of violation is filed and the bus company responds, there is a discussion to determine whether there were some ameliorating factors to excuse the violation, or whether the complaint was "valid." As for reports of mistreatment of children by matrons or drivers, it was suggested that there is "no way of proving such allegations."

The contract between the Board of Education and the bus companies makes provision for leveling penalties against the contractors and collecting "liquidated damages" for violations of the contract, "unless unavoidable," as follows:

> If on any day one or more such buses does not serve the school within the time limits, or does not make all scheduled stops set forth in the contract, or makes unauthorized stops or makes unauthorized changes in established routes, there shall be deducted from the subsequent month's payment the following sums:
>
> One-sixth (1/6) of the daily rate per bus for each bus that arrives at the school less than five (5) minutes before the start of the session.
>
> One-third (1/3) of the daily rate per bus for each bus which arrives after the time the session is due to start.
>
> One-third (1/3) of the daily rate per bus for each bus that arrives at the school more than thirty minutes before the start of the session.
>
> One third (1/3) of the daily rate per bus for each bus that does not arrive at the school within thirty minutes after the end of the session.
>
> One-half (1/2) of the daily rate per bus for transporting in any one vehicle a greater number of pupils than provided for in section entitled "BUS CAPACITY".
>
> One sixth (1/6) of the daily rate per bus for each scheduled pick-up point not served.
>
> One-third (1/3) of the daily rate per bus for each bus that makes an unauthorized stop or an unauthorized change in established route.

The contract further states:

> If, however any default on the part of the contractor be proved to the satisfaction of the Director to have been unavoidable, no liquidated damages will be deducted for such default.

CSS has repeatedly inquired as to how many violations had been filed this past year, how many negotiated without penalty, and how many had resulted in penalties against the bus companies, but has received no answers to any of these questions. It was stated that the machine which records the violations had broken down.

ALTERNATIVE METHODS OF TRANSPORTATION

In February 1969, after school bus drivers for the handicapped had been on strike for 14 days, an organization for handicapped children asked the Board of Education to reimburse parents for providing other means of transportation for their children. A Deputy Superintendent advised them that the State Education Department would not permit such reimbursement "unless official bids are procured and each separate contract approved individually by the State Education Department."

The following year, when another strike kept handicapped children out of school for over a month, four mothers took their case to court. A State Supreme Court judge ordered the Board of Education to pay for the use of taxis and other vehicles to transport crippled children to school until normal bus transportation was restored. The attorney who represented the mothers told the judge that he understood that arrangements could be made with several taxi companies to pick up children at home and school at specified hours.

The attorney cited New York Education Law, §4404(5), which provides, under the title, "Duties of School Districts:"

> The board of education or the board of trustees of each school district shall provide suitable transportation to and from special classes -- as determined by the need of the individual pupil.

In the Matter of Ralph Allen, 73 St. Dept. (Educ.) 34, it was held that, "The kind of transportation to be provided for pupils rests entirely within the discretion of the trustee subject to the approval of the district superintendent."

Justice J. Leff, who received the petition for a judgment from the parents during the 1970 school bus strike here, after hearing argument of their attorneys and that of the Corporation Counsel representing the Chancellor of the Board of

Education, ordered prompt repayment to the parents for the funds they expended "for transportation for their children to go to and from school by means of taxicabs or other similar hired vehicles."

The bus contractors against whom the strike was called at that time were different companies than those now used. The major dispute resulted from the companies' defaulting on payments to the welfare and pension funds of Local 1181 of the Amalgamated Transit Union.

A further precedent for reimbursement of transportation costs exists in that the State Office of Vocational Rehabilitation makes such provisions for clients who are handicapped college students who must use taxis if bus service cannot be arranged for them to get to school.

STATE ASSESSES SCHOOL TRANSPORTATION SYSTEM

In a report to the 1975 New York State Legislature, which included a "Review of Transportation Aid Formula," the State Education Department compared advantages and disadvantages of district-owned transportation systems (by which 59% of the students outside of New York City are transported) with those of contract transportation systems. The advantages of the district-owned transportation systems were listed as follows:

1. The transportation supervisor controls all phases of the system.
2. There is a greater availability of buses for field trips and athletic events.
3. School policy and transportation policy can be coordinated.
4. Capital equipment can be purchased at state contract prices, thereby eliminating sales taxes and obtaining the equipment at a less than retail price.
5. Bus drivers work directly for the school district. They are more likely to work toward achieving school district policies and objectives.
6. The district has better flexibility in emergency situations.
7. "Profits" do not enter into school district costs.

The advantages of contract transportation systems were as follows:

1. The contracted firm is responsible for hiring drivers.
2. Buses are maintained by the contractor.
3. Costs are determined from contractor bids. Planning and budgeting are simplified.
4. The school district need not invest in capital equipment.
5. The approved transportation expense is equivalent to the cost of the contract.
6. Fringe benefits for drivers are generally less costly.

It is obvious in comparing these, that those factors which affect children advantageously, as opposed to cost factors, are present only in the district-owned transportation systems. Unfortunately, however, the state aid formula favors the contract system, giving contractors a "competitive edge over the district-owned situation."

Another observation made in the report relates to computer routing, a system not employed in New York City, where routing is done manually.

The report states:

> Computer assistance in the areas of routing and scheduling appears to be a way to help produce more economical and safe school bus systems in some districts through minimization of costs, travel times, and hazards on the school level. Advantages of the use of computers for routing and scheduling include:
>
> 1. More efficient routes can be established at a quicker rate.
> 2. Transportation policies can be standardized.
> 3. The assignment of students to buses can be simplified.
> 4. Hazardous conditions can be avoided more easily.
> 5. The potential seating capacity of buses can be more fully utilized.
> 6. Routes, schedules, and student assignments can more easily be made available prior to the start of classes.
> 7. Computerization implicitly requires the district to determine realistic transportation objectives and to evaluate current policies.
>
> There are, however, a few problems associated with computer routing:
>
> 1. The initial investment in routing programs and data collection is expensive.
> 2. Routing programs are relatively new and may contain "bugs."
> 3. Some administrators are skeptical of the expenses involved in use of computers for these purposes.
> 4. The output (routes, schedules, etc.) is only as good as the data put into the computer.

The report concluded:

> The financial savings and improved service realized by school districts that have already implemented computerized routing and scheduling systems appear to outweigh the problems.

An inquiry as to whether the Board of Education was considering computerized routing brought the response that it was being "considered" -- that three bids had been submitted for a pilot project in one borough -- but that it was not going to be implemented in the immediate future. CSS was also advised that it would not be applicable to the handicapped because the residences of the children are so scattered and their school destinations so varied that they require a manual system. However, with approximately 12,000 mentally retarded children being bused to school (the largest incidence in the handicapped school population), spokesmen for organizations of parents of the handicapped have proposed computerized routing as feasible and beneficial.

RECENT DEVELOPMENTS

During the course of this study the Chancellor of the New York City Board of Education issued a special circular dated March 11, 1975 to Community School Board Chairmen, Superintendents, Executive Directors, Directors, heads of Bureaus and Principals of all day schools regarding responsibilities relative to school transportation for handicapped children. The directive reiterates that handicapped children are to receive a full day's instruction and that their time schedules are to parallel the normal school day, with 2:00 p.m. dismissals permitted only for certain categories of handicapped children. The directive further refers to contractual obligations which require bus arrival no more than one half hour before the start of school or after regular dismissal time. It states that "no leeway is permissible which shortens the pupils' schedule school day." In addition, it places on school personnel the obligation to report immediately to the Bureau of Pupil Transportation if "drivers and/or matrons perform their duties in a manner outside that which is prescribed contractually." (See Appendix C.)

The directive has an even more limited scope than the "Notice of Violation" form. At a recent meeting with members of the Board of Education, a parent representative of an organization for the handicapped, who serves on the Advisory Committee on Special Education to the Chancellor, commented that parents had been complaining about the bus service for at least fifteen years. She said that during that period, previous school superintendents and chancellors had issued similar directives, but that they had no effect.

The Division of Special Education and Pupil Personnel Services also prepared a flyer of bus information for parents in both English and Spanish which describes the requirements for door to door service, advises about safety rules which

children should observe on the buses, suggests that if a child has any medical problems the bus escort be informed and further directs that all complaints about bus service be made to the teacher and principal. If thereafter problems continue parents are advised to call the various Bureaus and/or Programs which supervise the education of handicapped children. A procedure is also suggested for the parent to designate another person to receive a child from the matron at the end of the school day. Such designation must be given in writing by the parent to the principal and/or teacher as well as to the escort and/or the driver. At last report the flyers had not been distributed.

The Bureau of Pupil Transportation on April 8, 1975, sent a memo to all transportation contractors apprising them of the many complaints received from parents, parent groups, civic associations et al.,relative to the dismissal of handicapped children at an earlier time than that which had been designated. Contractors were directed to notify their operating personnel that under no circumstances were they to deviate from prescribed dismissal times.

Two other developments are worthy of note. In the last quarter of 1974 the Council of the City of New York passed legislation providing that all buses and motor vehicles transporting handicapped children after September 1, 1975, must be equipped with doors that open from two sides of the vehicle. A similar law passed in 1971 mandated dual doors but existing contracts between the Board of Education and the bus companies thwarted implementation. The other development was the anncuncement by the Metropolitan Transportation Authority that it had contracted for 398 buses designed for the convenience of the elderly and the handicapped. These buses are expected to be operating next fall. It is unclear as to whether or not these buses might be utilized for the transportation of handicapped children to school.

Finally, the Board of Education has been supporting a bill in the State Legislature to permit franchise contracting for school transportation with contracts to run up to 10 years. This would remove the necessity for public bidding. When

asked whether this would not virtually eliminate competition and put the smaller companies out of the running, one official agreed that it would, adding, "How do you franchise for two or three vehicles?" Board spokesmen claim that franchising would provide greater control by subjecting the contractors' books to auditing. They also state that the union and the major contractor want the franchise system because the long term contract would enable amortization of their investment in new equipment over a 10-year period. A similar bill, passed last year, was vetoed by Governor Wilson, on advice of the State Education Department. In his veto message, the Governor explained that a bill which removes a public bidding requirement must show why bidding is inapplicable, list the advantages of the alternative method, and provide safeguards against abuse, and that, in the light of these standards, the bill did not warrant approval. He further stated that "the bill contains no safeguards to insure that the franchise contracts would not be used in all instances regardless of whether effective price competition exists," that there was no requirement for the contract to be approved by an outside agency such as the State Education Department, and that there is no standard to determine if the agreed-on price is fair.

Similarly, the Community Service Society issued a memorandum of opposition to the current bill on the grounds that competition would be restricted and that "the few bus companies which now exercise a virtual monopoly on the business of transporting school children in New York City would be assured complete control... Furthermore,"CSS continued, "giving boards of education the exclusive responsibility for the terms and conditions of contracts relating to pupil transportation policy...would relieve any person of his current right to appeal for a review of the actions of the Board of Education by the Commissioner of Education on transportation matters."

UNDERLYING PRINCIPLES FOR RECOMMENDATIONS

In making its recommendations, the Community Service Society faced the two problems of high cost and quality of service. Since it was evident that high cost did not guarantee quality, and, in view of the constraints of budget to meet the educational needs of handicapped pupils, the Society has viewed proposals for economy in transportation consistent with the need to free tax levy funds for educational programs. Some recommendations relate to educational policy matters which, in turn, would affect transportation requirements. Others relate to improving the transportation system so that it is responsive to children's health needs, as well as to their educational needs. The followin objectives, therefore, are presented as a basis for the recommendations which ensue.

1. Handicapped children are entitled to an education equal to that guaranteed to non-handicapped children. This includes the right to:

A full school day - Transportation should facilitate the child's arrival at school shortly before the commencement of activities and departure after their conclusion.

Mainstreaming - Handicapped children whose intellectual abilities would enable either partial or full participation in regular classes and other school activities should not be assigned to special self-contained classes, in secluded restrictive environments, but should be allowed to attend their home schools and be provided therapeutic services there as needed.

Neighborhood schools - Whenever possible, handicapped children, even those in special classes, should be assigned to schools in their neighborhood. Schools should be required to make space available when a sufficient number of such children living in the school zone require special education services. It is

recognized that a minimum number of children is necessary in order to organize a cluster of classes large enough to utilize available resource personnel, but these clusters should not be so large as to be schools-within-schools and require long riding time for their students.

2. Accountability and Parent Representation: A basic problem with the current system is that all the parties involved place the blame on someone else. One agency -- for instance, the Division of Special Education and Pupil Personnel Services -- must assume the ultimate responsibility for busing of handicapped children. Specific recommendations for accomplishing this will follow.

3. Establishment and Enforcement of Standards: A system of rules must be developed to eliminate unsafe conditions on the buses and regulate travel time and behavior of personnel and students. A mechanism for enforcement must be built into these standards at the outset.

4. Economy and Value for Money: The only criterion for deciding whether an individual child should be bused must be the best interest of that child. To reason that funds for transportation are reimbursed by the State while the City must pay for education, violates the child's rights and may be a false economy. The CSS recommendations are aimed at achieving the best education possible at the least cost to the taxpayer, whether he pays to the State or the City. Additional classes, alternate forms of transportation, travel training, and many other possibilities should be explored as means of effecting economies and improving the educational experience of handicapped children in New York City.

RECOMMENDATIONS

With these objectives in mind, the Community Service Society recommends for consideration by the Board of Education of the City of New York and by legislators in both City and State governments:

1. THE DIVISION OF SPECIAL EDUCATION AND PUPIL PERSONNEL SERVICES should be responsible for transportation policies consistent with the educational needs of the children it serves. These should include:

a. Classes closer to home - A handicapped child has the right to an education in the most convenient school possible. No child should be required to ride more than an hour either to or from school. Economies can also be effected if unnecessary transportation is eliminated.

b. Travel training - A consistent policy of travel training should be developed. All children who can benefit from such training - mentally retarded, brain injured, emotionally disturbed, visually- or hearing-impaired, and others--should receive it. It encourages independence while effecting economies.

c. Mainstreaming - When a physically handicapped child can benefit from attending classes with normal children, arrangements should be made with the Board of Health to certify these children for transportation to their neighborhood schools. At present admission to special education classes is required before a physically handicapped child can obtain transportation. A change in the Public Health Code would be required.

d. Training of bus drivers for service to handicapped pupils - All personnel must be trained (1) to understand the nature of the children's handicaps; (2) to handle wheel chairs properly; (3) to follow basic

procedures in health emergencies; and (4) to maintain discipline, particularly with mentally and emotionally handicapped children. Professionals in the Division of Special Education and Pupil Personnel should provide this training.

2. THE BOARD OF EDUCATION, which contracts for the transportation of the handicapped could assure better service if it:

a. Provided alternative forms of transportation - The primary objective of transportation should be the education of the child. The New York Education Law requiring boards of education to "provide suitable transportation" for handicapped children does not restrict such transportation to buses or vans. The Board should contract with parents or taxicab companies for daily taxi service in circumstances including, but not limited to, the following:

- Fewer than ten children in a given school district are assigned to a particular public or private school.
- The available routing would force the child to ride more than one hour in either direction.
- The cost per pupil by taxi is less than the cost of school bus service.
- School hours and programming do not coincide with hours specified in the bus contracts.
- When, because of change of address or new school assignment, the child is not yet receiving bus service.

b. Developed a system of coordination and accountability including:

- A detailed set of standards for everyone involved in the transportation of the handicapped: principals, teachers, contractors, drivers, matrons, maintenance personnel, parents, personnel in the bureau which have responsibility for the education and transportation of these children.
- A two-way communication system on all buses and vans transporting handicapped children.

- A system of notification to parents if buses are late or cancelled, or school days shortened.
- Maintaining a toll-free twenty-four hour special telephone number which parents or others in parental authority could call for information or in emergencies.
- Revision of the "Notice of Violation" to include all infringements of contract not now specified in such notice, with appropriate penalties.
- Establishment of a "Complaint Review Board" including parents of handicapped children, a transportation expert, a lawyer, representatives of the organizations of the handicapped and of civic organizations. Such Board should have the power to file Notices of Violation and to suggest alternative arrangements if service is below standard.

c. Improved transportation service to handicapped children by:

- Establishing criteria for selection of matrons for school buses and requiring screening of candidates by the Division of Personnel.
- Increasing staffing at the Bureau of Pupil Transportation on a per diem basis during period of peak load (start of school year) to reduce delays in the start of bus service.
- Increasing the number of inspectors to enable regular monitoring of the service provided by contractors.
- Limiting drivers' selection of route to start of school year.
- Computerizing routing whenever possible.

d. Made the following changes in its contracting procedures:

- Require the matron to escort the child from his door to the bus.
- Contract with more bus companies with smaller fleets and with garage and maintenance services in the borough in which the transported children reside in order to cope efficiently with emergencies.
- Require that vehicles be adequately designed and equipped to meet the needs of the children being transported, as, for example, lifts large

enough to accommodate wheelchairs safely.

- Include safety regulations in the contract; for example, that children must be discharged from a vehicle at the door nearest the curb and must be escorted across streets.

3. THE CITY COUNCIL SHOULD:

a. Establish a high level board of inquiry to investigate the operation of the pupil transportation system of New York City and make recommendations, prior to the extension or renegotiation of the bus contracts.

b. Study the feasibility of using city buses that are not utilized during peak periods of student movement, for door to door service to and from school, instead of some of the contract buses, for general pupil transportation and, in some instances, for handicapped children who do not require special equipment.

c. Amend the law that requires a matron on every vehicle transporting handicapped children, to permit exceptions which would be defined in regulations to be established by the Board of Education; such regulations to specify type of vehicle (excluding taxi or limousine service), age of pupils, nature of handicap, and minimum number of pupils riding on a vehicle requiring such services.

4. THE BUREAU OF PUPIL TRANSPORTATION SHOULD:

a. Route handicapped children in such manner that no child travels a longer distance than that which is required from home to school. Students living the furthest distance from school should be the first to be picked up and those living the shortest distance the last.

b. Consult with appropriate personnel in the Division of Special Education and Pupil Personnel Services regarding health needs (as, for example, physician's recommendations) of the handicapped children for whom transportation service is provided and regarding feasibility of assigning children with different handicaps to the same bus if they are attending the same school.

c. Inspect equipment used by contractors and assure that safety features meet requirements of law and regulations and that vehicles are properly maintained.

d. Monitor the bus service by random assignment of inspectors at check points along the bus routes.

e. Route children on minibuses in all circumstances which do not require the large bus or when the large bus will not be fully utilized.

f. Assure compliance of contractors with all regulations of the Board of Education, State Department of Education and State Department of Transportation, as well as observance of recommendations of the National Safety Council.

g. Maintain a complete and accurate recording of accidents, complaints and violations of contract.

h. Prepare routing and bus schedules which do not conflict with school schedules.

i. Direct the selection and training of drivers of buses for the handicapped.

j. Assure that emergency drills are conducted, as prescribed by State law, on every bus under contract.

k. Evaluate performance and cost factors and make recommendations to the Chancellor.

5. SCHOOL PRINCIPALS should carry out their responsibility to:

a. See that standards for transportation established by the Board of Education are implemented at the local level.

b. Determine where loading and unloading is most suitable in regard to safety factors and best access to school entrance.

c. Advise parents of changes in school schedule (i.e. half days, test days, etc.) which affect bus schedule.

d. Encourage teachers to instruct children regarding safety rules for boarding, riding, leaving bus and conduct on bus.

APPENDIX A

LETTERS OF COMPLAINT

Parents, teachers, handicapped children and health aides have sent us copies of letters directed to the Bureau of Pupil Transportation, other offices of the Board of Education, and city officials.

The following are some samples of this correspondence:

From a parent:

> At 12:45 p.m., a bus deposited my son - a non-verbal, 7 year old cerebral palsied child, into the charge of a totally unknown individual, who claimed to know the regular babysitter, although they had never seen the individual before and with the knowledge that my son was reluctant to be taken by the stranger. The babysitter found him at 2:30 p.m., where he had been taken to the unknown cellar apartment of her acquaintance. He had been terrorized; he would not touch food or drink, was too terrified to use the bathroom and rushed into her arms, sobbing hysterically, upon her arrival. By the time I arrived at 6:00 p.m., my son's eyes were still swollen, he gestured, described everything the best he could and repeated the experience to me throughout the weekend. He was reluctant to go back to school on the bus.
>
> The incident made me wonder greatly over the bus service of this semester. First we had large buses with no seat belts which resulted in my son's psychomotor seizure when his head was hit as the bus stopped short...
>
> I asked the driver and matron hadn't they considered the dangers of leaving a disabled child with a stranger whom even the child did not know? Had they called the school, for whom I had filled out "release" forms and emergency numbers, for guidance? Didn't they realize that our children only required their service and the bus service because they are disabled?
>
> In this case no emergency procedures were followed... And with the bus company, after spending two years struggling with their tardiness, rudeness on the telephone, the waiting of up to 1-1/2 hours on cold mornings and then being told "the bus has left" when it never arrives, with matrons often unwilling to help a child into a van, we must come to the conclusion that the bus company has no attitude toward us or our children -- no policy, no adequate driver and matron training, no interest in caring and protecting our children.
>
> The ever-present and continuing busing problems have contributed to a continuing sense of insecurity and fear: I am always worried about whether there will be service, about the hour of the child's arrival at home and worse, his condition upon arrival!
>
> In September when my son suffered as the result of the omission of standard required safety equipment, I attempted to speak directly to your office, however the individual who answered your telephone replied, "Well, you know this is a free service provided for by the Board of Education."

Another parent's letter:

I am writing this letter to you to complain about the lack of acceptable bus service for the children and their families who ride the bus, run #__ in District__in Manhattan.

On the dates of April 4, April 21, and April 22, the children on this run were, on each of these days, 1 and 1/2 hours to 2 hours late in their arriving at their homes. Parents and school people are very upset over this.

I am writing this letter to you to ask you to look into this matter in order to correct this problem of extreme lateness. Please see that a bus that is capable of operating without repeated breakdowns is placed on the run.

Thank you for your attention to this matter.

****

From another parent:

I am writing to you after almost three weeks of telephone calls to the Board of Education, and absolutely no response or interest shown to my problem.

My twin boys attend special schools and are bused by the Board of Education. After my own son's accident, induced by a trip of over two hours and a large bus which is unseat-belted, I attempted to contact anyone involved in routing at the Department of Pupil Transportation, the Mayor's office, the Bureau for Handicapped Children, etc.

To date there has not been one change in the routing of my twin boys.

Can you please add your voice to ours to improve this abysmal situation. My boys are on buses that travel up to two hours in each direction and they are physically unable to cope with this abuse.

****

From a teacher:

The following complaints have been brought to my attention by the children of the Health Conservation Class at __ who use the __Bus Company's Service.

I would be remiss if I did not take some positive action in reporting this situation, with the hope that they will be corrected immediately.

Many of the complaints listed, have either been witnessed by me or verified by students who have been participants to the violations.

The list is as follows:

- Intimidation and scare tactics used by drivers to get the children out on time with the threat of leaving them behind in school or at home if they are not outside at the exact time.

- Drivers coming into school and talking directly to classroom teachers about dismissal time of children without consulting the teacher-coordinator for the HC20 class.

- Children frightened of falling off the lift because front gate never lifted and locked. This practice is done to expedite the debusing of the child and is very dangerous.

- Drivers demanding early dismissal of children because they have another job to get to or because they have a car pool they must make at a certain time.

- Change of home pick up time causes grief among parents because they never know exactly when the bus will come.

- Drivers not giving sufficient time for students to get outside and therefore children left at home.

- Children have to get up hours ahead of time only to drive another hour on the bus because of other pick ups and deliveries.

- No communications at all between the bus driver, the bus company, the home and the school when a bus breaks down. Only the garage is notified by the driver and NO one else. The school and parents are never informed as to the breakdown. We just HAVE to wait.

- Many of the defects in the wheelchairs are caused by incompetent people handling the chairs in such a manner that wheels are ripped off, rims bent and footrests smashed.

- Dangerous conditions on the bus, people not strapped in securely with wheel brackets.

- Accidents happening on the bus are not reported to school authorities but only through word of mouth by students.

- Drivers try to convince children to stay home after a holiday, which is followed by a school day, or when there are only one or two days left of school in the week following a holiday. Drivers say, "Is it really necessary that you come to school?" "Do you have to go on those days?"

The preceding list is, I admit, in generalizations and does not pertain to every bus driver who is assigned to drive the handicapped. No matter on what scale these injustices occur they MUST be corrected and the abuses neutralized.

Every complaint can be documented by statements from the children, school aides, teachers and parents if necessary. I hope it doesn't have to come to this, but if someone were to come to the school and take depositions the facts would be substantiated.

It is a shame and a heartache for me to see kids who have enough problems to be abused, harassed and frightened by a bus driver who is supposed to be understanding, competent and trained in dealing with these children.

The Bureau for Pupil Transportation and the school have a close working relationship and over the years have worked in harmony to secure the best for the children. The people at the Bureau are to be commended for their understanding and patience. I hope the Bureau can bring an end to this very serious situation which has been going on unchecked for a period of years. Just a few weeks ago a driver came into the classroom and we had a discussion about service and he said to me, "What are the parents and children complaining about, the bus is free." This statement sums up many of the drivers' thinking.

Please help me to help the children.

From a Department of Health aide:

This writer has observed some bus irregularities during her tour of duty -- both in the A.M. and P.M. on several occasions, the driver of a bus was informed that one girl was to board his bus. He refused to wait for her. It was not until 4 o'clock that the girl could leave. On another occasion, a bus did not come after several calls were made to the company. This girl left school only after her mother came for her.

The girl was very frightened and emotionally upset. Because of this incident which disturbed her a great deal physically and emotionally she has been absent since.

I am a nurses-aide and have over the years witnessed many violations of lateness, discourtesy and unsafe practices of loading and unloading the children on and off the buses.

****

From a medical center for rehabilitation medicine:

It has been brought to my attention that (two students) were not picked up this morning by their bus. They are picked up at our Admitting Room area where the bus may pause to pick up passengers. They are not allowed to wait within the admitting room area at all times because treatment is sometimes given to emergency patients. On this date both students were waiting for the bus and when he pulled up to the door, he immediately sped off. They had no time to get to the doorway. This situation was confirmed by the professional staff in the Admitting Room. One student reports that a similar incident prevented her from attending class yesterday. Both students have also commented that they feel very unsafe in the way the driver positions them on the buslift. The girl is especially frightened by this procedure.

Any help you can offer in alleviating these situations will be sincerely appreciated.

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From students:

One day (a student) complained about sitting in the back and so I volunteered. While going on the highway we hit a bump and I went up into the air and almost fell out of the chair. I was out of school for two days after that because I had pulled a muscle in my back.

On two other occasions, while we were riding along, the pins holding the chair to the side of the bus came loose and my chair twisted and turned. If I didn't have the safety belt I would have gone and hit the doors to the lift.

They don't take us home the right way or the same way every time and different kids are left off at different times. The parents don't know when to expect them home.

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The bus company driver has stated that if I am not down at the bus stop at 1:15 p.m. or at the end of the eighth period, I will be left at the school. I try my best, but I would not like to leave my eighth period English class while my teacher is conducting the lesson.

Sometimes, after I took a test in my eighth period class, I would get down to the bus rather late and he would scold me even after I explained why. Thank you for your concern.

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The bus driver has said that if we are not down for the bus on time he will leave without us. I can't walk fast because my legs are in bad shape, and sometimes the elevator keeps you waiting. It is hard to leave before the end of class because I will miss the work being given.

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From a school aide:

The past week or so I have noticed unsafe practices by the bus driver on (the school) bus. The driver is failing to put the outside lift plate up when the lift is operating. It almost resulted in a child falling off the lift. If it wasn't for the child's weight, the accident would have occurred.

The driver does not have one basic route. He would sometimes take one child home first one day and then change his mind on the following day.

The bus is not level, one side is elevated more than the other. The brackets for the wheelchairs are loose. I remember seeing a child come out of the bracket. If it wasn't for myself the child would have rolled into the lift. Those are some complaints I would be happy if the proper authorities would act on immediately.

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From a Councilman:

I am writing you with respect to a matter that greatly concerns me, namely the adequacy of the transportation now being provided by the Board of Education for handicapped youngsters.

Until this year the bus company which, at least in Manhattan, provided this service under contract to the Board of Education, had utilized small-sized vans which carry a maximum of ten or twelve youngsters. This year, however, the company has switched to using larger, nearly standard-sized school buses, which has had several distressing ramifications for the children involved.

First, I am told that at least some of these buses do not have adequate seat belts, a most severe omission which could have tragic consequences for handicapped youngsters unable to control their movements as can ordinary youngsters.

Secondly, while the bus company provides matrons to assist children in getting on and off the bus, these matrons seem to sit at the front of the bus facing forward and thus are unable to see whether children in the back need assistance or are behaving themselves. Moreover, the matrons seem not to be specially trained in the problems which the handicapped children face.

A third problem involving these larger buses -- is that since service is being provided to more schools, many of the children face exceptionally long and unnecessary bus rides. For example, several children who live in the East 70's and who attend the Kennedy Child Study Center at 67th Street and Lexington Avenue now face a homeward bound bus trip of almost two hours even though the actual distance between the school and their homes is but a few short blocks, because of the route which the bus follows.

Obviously, in terms of budgetary stringency, some consolidations and changes must be expected. However, the aforementioned safety and convenience problems I have outlined are, I think, capable of relatively easy solution if all the concerned parties could sit down and discuss same.

Unfortunately, some parents who attempted this have been met with a mostly indifferent response, both from the bus company and from the Board of Education's Bureau of Pupil Transportation.

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A telegram to Board of Education and City officials:

Distraught parents waited four hours for handicapped children to arrive home on ____ bus that broke down on Route ___. No attempt made to notify parents or schools involved. Bus office closed. Demand complete explanation and investigation.

In this instance, the parent reported that the breakdown occurred just two blocks from the school, but the school was not advised. Parents calling the bus company before its office closed at 5:00 p.m. could get no information about where the bus was. She said the children did not arrive home until 7:00 p.m.

RECORD OF DAILY BUS SERVICE

COMPLETE ONE FOR EACH BUS

NAME OF CONTRACTOR * _____

NAME OF DRIVER _____

IF THIS REPORT RELATES TO HANDICAPPED CHILDREN PLEASE ENTER LAST NAME OF ESCORT PRESENT

* ENTER HERE NAME PAINTED ON BUS IF THE NAME DIFFERS FROM THAT OF THE CONTRACTOR.

SCHOOL _____ BOROUGH _____

MONTH OF _____ 19 ____

ROUTE OR ITEM NO. _____

NUMBER OF PUPILS CERTIFIED _____

DATE	INCOMING BUS					ESCORT			DEPARTING BUS						ESCORT	
	BUS NUMBER AND LICENSE NUMBER	NO OF PUPILS	TIME OF ARRIVAL A.M.	TIME PUPILS' SESSION STARTS	TEACHER	NAME OF MATRON OR ATTENDANT PRESENT	NO. OF PUPILS FAILED TO TRANS	NO. OF PUPILS OVER-LOAD	BUS NUMBER AND LICENSE NUMBER	NO. OF PUPILS	TIME OF DEPARTURE	TIME PUPILS' SESSION ENDS	TEACHER	WEATHER	NAME OF MATRON OR ATTENDANT PRESENT	NO. OF PUPILS OVER-LOAD
1	2	3	4	5	6	7			8	9	10	11	12	13	14	

FORM SPT.-2 200M-12 '74 134

BOARD OF EDUCATION – CITY OF NEW YORK

BUREAU OF PUPIL TRANSPORTATION
42–12 CRESCENT STREET
LONG ISLAND CITY, N.Y. 11101

NOTICE OF VIOLATION – BUS TRANSPORTATION

MAIL NO LATER THAN DAY FOLLOWING VIOLATION

1. _____ 19____ 2. _____ From _____ To _____
Date of Violation — School and Borough — Session Hours

4. _____ 5. _____ 6. _____ 7. _____ A.M. P.M.
Bus Company — Bus No. — Route or Item No. — Time of Arrival

8. Type of Service: Normal_____ Handicapped_____ Open Enroll_____ Mentally Retarded _____

9. Type of Violation:

a._____ Late arrival (less than 5 minutes before start of session)

b._____ Late arrival (after start of session)

c._____ Too early arrival (more than 30 minutes before start of session)

d._____ Late Departure (arrival of bus more than 30 minutes after end of session)

e._____ Overload: Grade of pupils_____ Registered capacity_____ Pupils carried _____

f._____ Scheduled pick-up point not served (Give details)

_____

g._____ Failure to provide service or other violation (Give details)

_____

10. _____ 11. _____
Person Assigned to Bus Duty — Principal's Signature

FOR BUREAU USE

FORM BPT-32 - 100M-9-65 — 500

TO BUREAU OF PUPIL TRANSPORTATION

APPENDIX C

Special Circular No. 65, 1974-1975

BOARD OF EDUCATION OF THE CITY OF NEW YORK
OFFICE OF THE CHANCELLOR

March 11, 1975

TO COMMUNITY SCHOOL BOARD CHAIRMEN, ALL SUPERINTENDENT, EXECUTIVE DIRECTORS, DIRECTORS, HEADS OF BUREAUS AND PRINCIPALS OF ALL DAY SCHOOLS

Ladies and Gentlemen:

RESPONSIBILITIES RELATIVE TO PUPIL TRANSPORTATION
(HANDICAPPED CHILDREN)

The Office of Special Education and Pupil Personnel Services, Bureau of Pupil Transportation, the Director of Supportive Services, and parents of handicapped children are working in close cooperation to assure that all handicapped pupils receive a full day's instruction. To achieve this end, close adherence to all directives pertaining to pupil transportation is essential.

Specifically, time schedules for handicapped pupils parallel the normal school day with 2:00 p.m. dismissals permitted for certain categories of handicapped children because of special needs. The contracts between the Bureau of Pupil Transportation and the vendors permit, and route scheduling may necessarily require, a one-half hour leeway from the schedule (e.g., 9:00 a.m. arrival, 30 minutes prior leeway or 8:30 a.m.; 2:00 p.m. or 3:00 p.m. dismissal, 30 minutes leeway after or until 2:30 p.m. or 3:30 p.m. respectively). No leeway is permissible which shortens the pupils' schedule school day.

Any variations from the above schedules are considered violations and should be reported on the daily transportation report form to the Bureau of Pupil Transportation.

Where drivers and/or matrons perform their duties in a manner outside that which is prescribed contractually, it is incumbent upon school personnel to immediately report same to the Bureau of Pupil Transportation by telephone with a follow-up statement.

Very truly yours,

IRVING ANKER
Chancellor